



GUIDELINE 4A — SOLID WASTE RECORDKEEPING AND REPORTING BY OWNERS OR OPERATORS OF SOLID WASTE FACILITIES (other than Municipal Solid Waste Landfills)

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TABLE OF CONTENTS

I.	Forward	Page 1
II.	Recordkeeping Requirements	Page 1
III.	Reporting Requirements	Page 3
IV.	Attachments: Inspection Reports and Checklists	Page 8

I. Forward

The owners or operators of all waste management facilities, except those permitted by rule, are required to keep operating records. The owner or operator is required to maintain records of demonstrations, inspections, monitoring results, design documents, plans, operational procedures, notices, cost estimates and financial assurance documentation. A new facility is not allowed to accept waste until the Department has received and approved a report which includes narrative, drawings and test results which certify that the facility was constructed in accordance with approved plans and specifications and as required by the permit. In addition, the owners or operators must maintain records on the categories and weights or volumes of solid waste received at the facility.

Note: Municipal Solid Waste Landfills (MSWLs) must comply with the recordkeeping requirements found in 40 CFR § 258.29. The Department has a separate guideline ([Guideline 4](#)) for Municipal Solid Waste Landfill owners/operators.

II. Recordkeeping Requirements

The operating record should be maintained in a single location. The location may be at the facility, or at corporate headquarters or city hall but should be near the facility. Records should be maintained throughout the life of the facility, including the post-closure care period. Upon completion of each document required in the operating record, the Department should be notified of its placement in the operating record.

A. Recordkeeping at the facility should include the following:

1. Location restriction demonstrations.

Demonstrations are required for any location restrictions. The location restrictions apply to:

- a. Airports;
- b. Floodplains;
- c. Faulted areas;
- d. Seismic impact zones; and
- e. Unstable areas.

2. Inspection records, training procedures and notification procedures. Inspection records should include:

- a. Date and time wastes were received during the inspection;
- b. Names of the transporter and the driver;
- c. Source of the wastes;
- d. Vehicle identification numbers; and
- e. All observations made by the inspector.

Training records should include procedures used to train personnel for hazardous waste and PCB waste recognition.

Notification to EPA, state and local agencies should be documented.

3. Demonstration, certification, monitoring, testing, or analytical finding required by the groundwater criteria. Documents to be placed in the operating record include:

- a. Documentation of design, installation, development and decommission of any monitoring wells, piezometers and other measurement, sampling and analytical devices;
- b. Certification of the number, spacing and depths of the monitoring systems;
- c. Documentation of sampling and analysis programs and statistical procedures;
- d. Notice of finding a statistically significant increase over background for one or more of the constituents at any monitoring well at or the compliance boundary;
- e. Certification that an error in sampling, analysis, statistical evaluation, or natural variation in groundwater caused an increase (false positive) of constituents, or that a source other than the Solid Waste Management Unit (SWMU) caused the contamination (if appropriate);
- f. A notice identifying any constituents that have been detected in groundwater and their concentrations;
- g. A notice identifying the constituents that have exceeded the groundwater protection standard;
- h. A certification that a source other than SWMU caused the contamination or an error in sampling, analysis, statistical evaluation, or natural groundwater variation caused the statistically significant increase (false positive) in constituents (if applicable);
- i. The remedies selected to remediate groundwater contamination; and
- j. Certification of remediation completion.

4. Closure and post-closure plans and any monitoring, testing, or analytical data associated with these plans.

The facility owner or operator is required to place a copy of the closure plan, post-closure plan and a notice of intent to close the facility in the operating record. Monitoring, testing, or analytical data associated with closure and post-closure information generated from groundwater and any other required monitoring must be placed in the operating record. A copy of the notation on the deed to the SWMU property, as required following closure along with certification and verification that closure and post-closure activities have been completed in accordance with their respective plans, also must be placed in the operating record.

5. Estimates and financial assurance documentation required.

The following documents must be placed in the operating record:

- a. An estimate of the cost of hiring a third party to close the largest area of all SWMUs ever requiring final cover;
- b. Justification for the reduction of the closure cost estimate and the amount of financial assurance (if appropriate);
- c. A cost estimate cost of hiring a third party to conduct post-closure care;
- d. An estimate and financial assurance for the cost of a third party to conduct corrective action; and
- e. A copy of each financial assurance mechanism.

III. Reporting Requirements

Nonhazardous solid waste facilities in North Dakota are required to submit regular reports to the North Dakota Department of Health as required in the solid waste rules as well as in their site plans or permit conditions. The Department has received requests for clarification of the type of information that should be addressed in these reports. Some facilities are required to submit quarterly reports or even monthly reports. These guidelines supply reporting requirement information for landfills as well as for landfarms, surface impoundments, waste piles, transfer stations and other types of facilities.

Basically, the regular reporting requirements are necessary to keep the Department informed as to the status of the operation and site conditions. The reports should essentially be a summary of the daily log books and records kept onsite by the operational personnel as well as any inspections conducted of the site by any other facility personnel. As necessary, pictures, maps, diagrams, checklists, etc., should accompany the report to help document site conditions. Disposal facilities should keep records on the types and amounts of waste accepted; the generators of the waste; waste analysis and characteristics; where it is disposed in the facility; and other specific information on surface water control, site geologic conditions in the disposal trenches; status of any liners or leachate collection systems; any settling of filled areas, reclamation of filled areas, etc. Different types of facilities including inert waste, special waste, industrial waste, waste piles, treatment facilities, landfarms, etc. will need to adapt these guidelines to meet their

reporting needs. The information and a suggested format for the regular reports are as follows:

1. Waste Disposed or Handled at Facility.

A table or spreadsheet summarizing information on the waste disposed at the facility; a suggested format would be as follows:

Date	Generator	Hauler	Waste Type	Loads	Yardage	Weight (tons)

For facilities that receive regular shipments of waste from a specific generator, the waste record could be reported as a weekly or monthly summary. Facilities that receive small amounts of waste from numerous generators (i.e., individual homeowners in pickups, trailers, etc.) could provide a simple summary of the quantities. Any additional information on the waste characteristics should be provided as well as an identification of the disposal area for the wastes. Waste disposal areas should be identified by general dates on a map or diagram. In addition, any special handling for any wastes disposed or allowed to be disposed or otherwise managed at the facility (i.e., asbestos waste, oil contaminated soil, yard wastes, etc.) should be explained and appropriately identified. Any specific problems in the types of wastes or the inclusion of hazardous materials or wastes with the waste stream should be clearly identified. Information should also be included on any wastes or recyclable material stockpiling or handling (i.e., metal scrap, wood, compost piles, etc.). For industrial waste or landfarm sites or as appropriate for other types of facilities, the report should include all necessary waste analysis information for specific waste streams.

2. Control of Spillage, Windblown Debris, Dusts, Odors, and Vermin.

This section should assess any waste spillage and subsequent cleanup and decontamination on haul roads or in waste management areas and any significant release of windblown material to the surrounding area and subsequent cleanup of windblown debris. The generation of dust, odors, or vermin should also be regularly assessed and appropriate control measures detailed. Corrective measures to prevent or minimize spillage, debris, etc. can also be addressed.

3. Condition of Berms, Dams and Non-contact surface Water Containment Structures.

This section should address the construction, repair, maintenance or replacement of any berms, dams, ponds or other containment structures around the waste management areas and any water contained in them.

4. Surface Water Run-off and Run-On Control.

This section should discuss any significant surface water run-on or run-off events including flow into the solid waste management areas, flow out of the management area, surface water interception by berms and dams and any other pertinent information. To help monitor surface water run-on and run-off controls, all facilities should keep regular track of how much rain falls in the area of the facility and during spring thaws, any appreciable run-off/run-on from snow melt. Appropriate maps or diagrams should be provided to show the areas of management activity and the surface water management features. If appreciable amounts of water accumulate

onsite or around the site, some surface water analysis may be required to document water quality. Any controlled or uncontrolled release of water should be addressed. Departmentally approved procedures must be followed if any water is to be released from the site. Surface water quality and management information, as required or necessary, should also be submitted in this section of the report.

5. Removal and Stockpiling of Suitable Plant Growth or Topsoil Material.

Disposal facilities must remove all suitable plant growth material (soil A and upper part of the B horizons) from areas to be disturbed. This should include the material in the disposal area and any other areas disturbed by operation activities including haul roads, equipment storage, parking areas, etc. The report and maps should address suitable plant growth material removal and stockpiling, revegetation of stockpiles of the material (to control erosion), and any removal of SPGM from stockpiles for management or respreading on reclaimed areas.

6. Liner protection and Integrity, Geologic and Soil Conditions in the Solid Waste Management Areas.

Facilities with liners and leachate management/collection systems should routinely assess the condition of these construction features, looking for erosion, cracking of soil liners, tears in synthetic materials, erosion or vegetation in clay liners and any other significant features. Dessication and freeze thaw conditions significantly affect clay liners. Unprotected liners may need to be assessed and/or rebuilt in part or in whole. As appropriate for the disposal facility, this section should address the types of geologic materials or soils encountered in the solid waste management areas or excavations.

This section should especially address any significant variations in normal operating procedures or conditions. This might include interception of any lignite, sand, gravel, or fractured materials; any interception of ground water, any breaching or damage to the liner, and the general condition of the liners underlying the facility. For any liner construction or repair, appropriate Departmentally approved Quality Assurance/Quality Control procedures must be followed and appropriate plans and detailed reports filed with the Department.

7. The Condition, Operation and Maintenance of Leachate Collection or Management Systems.

Owners/Operators of facilities with leachate collection or extraction systems need to regularly inspect and maintain such systems. This would include, but not be limited to an assessment of the condition of leachate collection sand bedding, gravel sumps, piping, pumping equipment, manholes and other structures should be provided. Any damage to such facilities and/or subsequent repair should be addressed. A quantification and schedule or frequency of the leachate removed from the site, the level of leachate within the facility, the quality of the leachate and its management should be addressed. Piping and access points need to be jetted or cleaned on, at minimum, an annual basis

8. The Status of Disposal Operations.

This section should address a brief description of the condition of the operation or disposal area and the filling of the facility. Landfill operations should be brought to grade and routine cover and interim cover placed as necessary before final site

reclamation. This section could also address any settling of disposed areas after filling. The working face or open area of a landfill must be limited in size to as small an area as practicable. Interim cover shall be placed on waste as specified under the pertinent solid waste rule and/or permit condition and operating plan and as necessary to prevent ponding of surface water, to minimize infiltration of surface water, control fires and to control windblown dust. Sequential partial closure must be implemented as necessary to keep the disposal area as small as practicable and to close filled areas in a timely manner.

9. Landfarming Activities.

For landfarm facilities or solid waste disposal facilities that maintain an area for landfarming oil, gasoline or other hydrocarbon contaminated soil, the report should document appropriate activities as outlined in these guidelines. This should include the summary of waste disposed or handled in the landfarm area (see item #1). Additional information specific to landfarming activities would include the inspection schedule; rates of waste application; appropriate waste characterization; the application of any fertilizer, water, soil amendments, inoculants, etc.; tillage activities; additional soil sampling and waste breakdown rates and any other pertinent information.

10. Composting Activities.

For facilities that maintain areas for composting yard wastes, general information should be provided as outlined in this guideline as well as the monitoring of compost pile odors, moisture, temperature and general condition. A summary of the pile size, frequency of turning and maintenance should be provided.

11. The Condition of any Impoundments.

Any impoundments onsite for managing regulated waste materials, leachate, water that has been in contact with or degraded by solid waste materials, or for stormwater management should be assessed in the regular reports. Information to include would be the volume in the pond, remaining capacity (excepting the two feet of freeboard), and the amount of freeboard. The condition of any liners, piping, spillways or other features should be addressed. In addition, the quality of liquids or waste materials contained in the pond and any management activities as well as any leakage, spillage, overtopping, or other unforeseen events should be addressed.

12. Site Reclamation.

All facilities will need to be cleaned up, debris removed and areas regraded as necessary. Non-disposal facilities should ensure the area is properly closed and revegetated as appropriate.

For disposal facilities, this section should address the final covering as it is completed and, as appropriate, as identified in the Facility Operation and Closure Plan. This should include the condition of the final slope of the site as identified in the plans and as provided in item 8 above; the construction of a low permeability cap over the landfilled wastes utilizing compacted clay or other material as approved by the Department; the placement of additional fill soil or drainage media; the

replacement of any buffer soil and suitable plant growth material; and the final revegetation of filled areas of the site. A description of the Quality Assurance/Quality Control procedures for site capping and reclamation should be addressed and appropriate plans and reports filed with the Department.

Closed facilities must be periodically inspected to address vegetation establishment and condition, plant coverage, and any significant surface water erosion, settling, repair of settled areas, cover repair, or any other pertinent issues. Drainage swales and the condition of berms, diversions etc. must be evaluated. Some steeper facilities may have additional requirements to monitor erosion and vegetation.

13. Ground Water and Surface Water Monitoring and Assessment of any Leachate Seepage.

The report should include a section on ground water and surface water monitoring for the reporting period. This information should include water levels and laboratory analysis as required in the facility permit. The inspection procedures should also evaluate the condition of the wells and any springs or leachate seepage in or around the site.

14. General Site Operation Standards.

The report should include a summary of the general disposal standards. An example for a landfill would be the standards as outlined on a specific facility checklist. The assessment should be made on a regular basis as required in the permit or operating plans or, at a minimum, on a weekly basis for inert waste sites. Most facilities should monitor these conditions every day the site is open; however, the checklist could be completed weekly. A checklist should be adapted and developed for the various types of facilities. The appropriate checklist should be completed, maintained with the facility records, and a summary of the inspection reports should be filed with the Department. [Department staff](#) can assist in developing appropriate checklists.

15. Permit and Site Development and Operating Plan.

A facility owner/operator should regularly review the site development plans, operating plans, contingency plans and other specific facility plans as well as the permit and the North Dakota Solid Waste Management Rules to ensure that the facility is in compliance with all necessary requirements. Any anticipated or necessary changes may necessitate a change in the plans and/or the permit. Copies of all necessary documents, the permit and the state rules should be readily available at the site and site personnel should be well trained in their requirements. The regular report should summarize any training of site personnel and should provide an assessment of the facilities compliance with all necessary requirements and permit conditions. Any updates of the contingency plans or site plans are subject to Departmental approval. Significant changes in or changes in the method of operation of a facility may necessitate a formal modification of the permit.

Appropriate maps, pictures and diagrams should be included with the regular reports to describe the site. Pictures should be affixed to an 8 ½ x 11-inch sheet of paper with appropriate information noted for each picture. Information with the pictures should include: (1) the name of the facility; (2) the subject; (3) the location; (4) the date and time; (5) the photographer; (6) weather conditions; and (7) pertinent comments and observations. It is beneficial to formalize the reporting

requirements so that they are consistent and easily trackable. It is suggested that the owner and operators keep copies of all information for their facility files maintained at the approved site. In addition, it is often beneficial to file copies of the reports with any local governmental bodies, health districts, or other interested regulatory or governmental officials.

IV. Attachments: Pertinent inspection reports and checklists may be developed as necessary.